

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Casey McCann	Team: Squad #14	CCRB Case #: 202005229	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 05/29/2020 8:00 PM	Location of Incident: Barclays Center; Keegan Drive and Atlantic Avenue; Keegan Drive and Flatbush Avenue	Precinct: 78	18 Mo. SOL 11/29/2021	EO SOL 5/4/2022	
Date/Time CV Reported Thu, 07/16/2020 9:30 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 07/16/2020 9:30 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. Officers			
2. DTS Jonadel Dorrejo	02595	943413	C A B
3. COD Terence Monahan	00000	876747	CD OFF

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. CCA Jeffrey Maddrey	00000	899501	C A B

Officer(s)	Allegation	Investigator Recommendation
A.DTS Jonadel Dorrejo	Force: On Keegan Avenue in Brooklyn, Police Officer Jonadel Dorrejo used physical force against individuals.	
B.COD Terence Monahan	Force: On Keegan Avenue in Brooklyn, Chief of Department Terence Monahan authorized the use of pepper spray against individuals.	
C.COD Terence Monahan	Force: On Keegan Drive and Atlantic Avenue in Brooklyn, Chief of Department Terence Monahan authorized the use of force against individuals.	
D.COD Terence Monahan	Force: On Keegan Drive and Flatbush Avenue in Brooklyn, Chief of Department Terence Monahan authorized the use of force against individuals.	
E. Officers	Force: On Keegan Drive in Brooklyn, officers used physical force against individuals.	
F. Officers	Force: At Keegan Drive and Atlantic Avenue in Brooklyn, officers used pepper spray against § 87(2)(b)	
G. Officers	Force: At Keegan Drive and Atlantic Avenue in Brooklyn, officers used pepper spray against § 87(2)(b)	
H. Officers	Force: At Keegan Drive and Flatbush Avenue in Brooklyn, officers used pepper spray against individuals.	
I. Officers	Force: At Keegan Drive and Flatbush Avenue in Brooklyn, officers struck individuals with batons.	

Case Summary

On July 16, 2020, § 87(2)(b) filed this complaint with the CCRB via telephone.

On May 29, 2020, at approximately 8:00 p.m., § 87(2)(b) and his girlfriend, § 87(2)(b)

§ 87(2)(b) attended a Black Lives Matter protest at the Barclays Center in Brooklyn. § 87(2)(b) and § 87(2)(b) stood near the intersection of Keegan Drive and Atlantic Avenue near the Barclays Center. Directly in front of the Barclays Center, on Keegan Drive, Police Officer Jonadel Dorrejo of the Community Affairs Bureau allegedly pushed metal barricades surrounding the Barclays Center into protestors (**Allegation A: Force**, § 87(2)(g)). Directly in front of the Barclays Center on Keegan Drive, at the intersection of Keegan Drive and Atlantic Avenue, and at the intersection of Keegan Drive and Flatbush Avenue, Chief of Department Terence Monahan authorized the use of pepper spray and physical force (**Allegations B - D: Force**, § 87(2)(g)). Directly in front of the Barclays Center on Keegan Drive, unidentified officers also allegedly pushed medical barricades into protestors (**Allegation E: Force**, § 87(2)(g)). Near the intersection of Keegan Drive and Atlantic Avenue, officers, who § 87(2)(b) could not describe, deployed pepper spray into the crowd, which affected § 87(2)(b) and § 87(2)(b) (**Allegations F and G: Force**, § 87(2)(g)). As § 87(2)(b) and § 87(2)(b) moved toward the intersection of Keegan Drive and Flatbush Avenue, officers allegedly deployed pepper spray into the crowd and pushed protestors with their batons (**Allegations H and I: Force**, § 87(2)(g)).

Cell phone video footage of this incident was obtained, which will be discussed in further detail below. The investigation received negative results for body-worn camera footage related to this incident.

Neither § 87(2)(b) nor § 87(2)(b) were arrested or summonsed during this incident.

Findings and Recommendations

Allegation (A) Force: On Keegan Drive in Brooklyn, Police Officer Jonadel Dorrejo used physical force against individuals.

§ 87(2)(b) (BR 01) testified that on May 29, 2020, at approximately 8 p.m., he and his girlfriend, § 87(2)(b) attended a Black Lives Matter protest at the Barclays Center in Brooklyn. § 87(2)(b) and § 87(2)(b) stood near the Barclays Center on Keegan Drive and Atlantic Avenue, approximately 20 to 25 feet away from metal barricades, which surrounded the Barclays Center and separated officers from protestors. After approximately one-hour, uniformed male police officers in riot gear, who § 87(2)(b) could not further describe, lifted up the barricades and pushed them into protestors, causing several people to fall over. Approximately one and half to two minutes later, § 87(2)(b) saw a substance in the air, which he recognized to be pepper spray. The pepper spray landed on § 87(2)(b)'s face and left arm, causing a burning sensation. § 87(2)(b) was also affected by the pepper spray and could not see for a short period of time. § 87(2)(b) did not see which officer(s) deployed pepper spray, or how many officers deployed it. § 87(2)(b) and § 87(2)(b) then moved toward the intersection of Keegan Drive and Flatbush Avenue still in the vicinity of the Barclays Center. While moving, officers indiscriminately deployed approximately seven to eight more "waves" of pepper spray. At the intersection of Keegan Drive and Flatbush Avenue, protestors moved into the street to block traffic. Police officers, who § 87(2)(b) could not describe, held their batons with two hands and used them to push protestors back. After approximately 45 minutes, § 87(2)(b) and § 87(2)(b) left the location to protest elsewhere.

§ 87(2)(b) said he had videos of the incident, but wanted to speak with his attorney before providing the investigation with the videos. § 87(2)(b) ultimately did not provide the videos to the investigation.

§ 87(2)(b) was uncooperative with the investigation (see IAs for contact attempts).

The investigation did, however, receive video from CCRB case 202003715, in relation to

an incident that occurred at the Barclays Center on May 29, 2020 at approximately 7:34 p.m. The video depicts a struggle over a barricade in front of the Barclays Center, near Keegan Drive, § 87(2)(g) (g)

§ 87(2)(g) The video (BR 02) begins with protestors on the left side of a barricade and officers on the right side of the barricade. Both protestors and officers grab the barricade, resulting in it being lifted off the ground. Officers attempt to lower the barricade back to the ground and keep their hands on the barricade. At the 00:10 time stamp on the player, PO Dorrejo's name is visible on his uniform. No other officers could be identified in the video (<<00:00 – 00:10>>).

PO Dorrejo (BR 03) testified that after approximately one hour to an hour and a half after his arrival at the Barclays Center, protestors lit a kiosk in front of the Barclays Center on fire and threw various objects and liquids at officers. Protestors picked up the metal barricades in front of the Barclays Center and moved them forward, advancing at least five feet closer to the entrance of the arena. PO Dorrejo and other officers had their hands on the top of the metal barriers to prevent protestors from hopping over the barrier and continuing to advance it forward. PO Dorrejo could not estimate how long the struggle over the barrier lasted.

§ 87(2)(g)

Allegation (B) Force: On Keegan Drive in Brooklyn, Chief of Department Terence Monahan authorized the use of pepper spray against individuals.

Allegation (C) Force: At Keegan Drive and Atlantic Avenue in Brooklyn, Chief of Department Terence Monahan authorized the use of force against individuals.

Allegation (D) Force: At Keegan Drive and Flatbush Avenue in Brooklyn, Chief of Department Terence Monahan authorized the use of force against individuals.

As discussed above, § 87(2)(b) testified that near Keegan Drive and Atlantic Avenue, officers, who § 87(2)(b) could not describe or number, deployed pepper spray into the crowd. As § 87(2)(b) and § 87(2)(b) walked toward the intersection of Keegan Drive and Flatbush Avenue, unidentified officers deployed approximately seven to eight more "waves" of pepper spray. Protestors moved into the street to block traffic near Keegan Drive and Flatbush Avenue. Police officers, who § 87(2)(b) could not describe, held their batons with two hands and used them to push protestors back. After approximately 45 minutes, § 87(2)(b) and § 87(2)(b) left the location to protest elsewhere.

Chief Monahan (BR 12), the highest-ranking officer on scene, testified that he authorized the use of MK9 pepper spray near the front of the Barclays Center (on Keegan Drive) to an unidentified sergeant from the Disorder Control Unit (DCU) if protestors broke barriers, though Chief Monahan was not aware if pepper spray was in fact deployed. Chief Monahan later determined the assembly at the Barclays Center was unlawful due to the violence of the crowd, namely throwing objects at officers, and the reporting of injuries. Chief Monahan told Deputy Chief John Dadamo of the Strategic Response Group (SRG) to "clear the streets," including Atlantic and Flatbush Avenues, making arrests of anyone that refused to disperse from the area if necessary.

A dates of service request from the Department Advocate's Office documented that Chief Monahan retired from the NYPD on March 29, 2021 (BR 17).

§ 87(2)(g)

§ 87(2)(g)

Allegation (E) Force: On Keegan Drive in Brooklyn, officers used physical force against individuals.

Allegation (F) Force: At Keegan Drive and Atlantic Avenue in Brooklyn, officers used pepper spray against § 87(2)(b)

Allegation (G) Force: At Keegan Drive and Atlantic Avenue in Brooklyn, officers used pepper spray against § 87(2)(b)

Allegation (H) Force: At Keegan Drive and Flatbush Avenue in Brooklyn, officers used pepper spray against individuals.

Allegation (I) Force: At Atlantic Avenue and Flatbush Avenue in Brooklyn, officers struck individuals with batons.

Known facts and general descriptions:

As mentioned above, § 87(2)(b) testified that after approximately one hour of participating in the protest on Keegan Drive in front of the Barclays Center, uniformed male police officers in riot gear, who § 87(2)(b) could not further describe, lifted up the barricades and pushed them into protestors, causing several people to fall over. Approximately one and half to two minutes later, § 87(2)(b) saw a substance in the air, which he recognized to be pepper spray. The pepper spray landed on § 87(2)(b)'s face and left arm, causing a burning sensation. § 87(2)(b) was also affected by the pepper spray and could not see for a short period of time. § 87(2)(b) did not see which officer(s) deployed pepper spray, or how many officers deployed it. § 87(2)(b) and § 87(2)(b) then moved from Keegan and Atlantic Avenue toward the intersection of Keegan Drive and Flatbush Avenue. While § 87(2)(b) and § 87(2)(b) were moving, officers indiscriminately deployed approximately seven to eight more "waves" of pepper spray. Near the intersection of Keegan Drive and Flatbush Avenue, protestors moved into the street to block traffic. Police officers, who § 87(2)(b) could not describe, held their batons with two hands and used them to push protestors back. After approximately 45 minutes, § 87(2)(b) and § 87(2)(b) left the location to protest elsewhere.

BWC:

The investigation received negative results for body-worn camera footage (BR 05). The search parameters listed a time frame of 6 p.m. to 10 p.m., and further indicated that a search of OMNI-form and NYPD forms were conducted using § 87(2)(b)'s name, but the results were still negative.

Body-worn camera video from CCRB case 202003695, which involved an incident in front of the Barclays Center on May 29, 2020, at approximately 8 p.m., depicted Lieutenant Jason Cortes and Police Officer Carl Becker, both of SRG 3 deploying pepper spray. This use of pepper spray was investigated under CCRB case 202003695, but because Lieutenant Cortes and PO Becker were nearby the area where § 87(2)(b) alleged pepper spray was used, they were interviewed as witnesses to possible deployment of additional pepper spray by other officers. Their statements will be discussed in further detail below.

NYPD Documents Reviewed:

The investigation received several Detail Rosters (BR 04) for this incident, but several of the rosters did not include the times of the officers' assignments. Further, without any description of officers from § 87(2)(b) the investigation could not identify any potential subject officers from

the Detail Rosters. Further, requests for both TRI and AIDED reports for § 87(2)(b) and § 87(2)(b) returned negative results (BR 06-07).

Concurrent Investigations:

No concurrent investigations were pursued related to this complaint.

Officers Interviewed:

Both Lieutenant Cortes (BR 08) and PO Becker (BR 09) testified that they did not see officers push barricades into protestors, see other officers deploy pepper spray, or see officers push people with batons during this incident.

As Lieutenant Cortes testified that his captain, Captain Ronald Ramos of SRG 3, was also present, the investigation interviewed him. Captain Ramos (BR 10) testified that he and the rest of the SRG Bicycle Unit were positioned behind the barricades in front of the Barclays Center. Similarly to PO Dorrejo, Captain Ramos testified that protestors picked up the barricades and advanced them toward officers. In response, officers pushed barricades back to maintain the original distance at which the barricades were set up. At an unknown time, officers, whom Captain Ramos could not identify, deployed pepper spray as protestors tried to push barricades or stand on top of them in front of the Barclays Center (this allegation is under investigation in CCRB case number 202003695). Captain Ramos did not instruct officers to deploy pepper spray and did not see any officers use their batons to push protestors back. Captain Ramos did not see any officers deploy pepper spray near the intersection of Keegan Drive and Atlantic Avenue, where § 87(2)(b) was initially standing and alleged to have been affected by pepper spray.

Ranking Officers:

Chief Jeffrey Maddrey of the Community Affairs Bureau and Chief Terence Monahan, the Chief of Department, were the highest-ranking officers known to be on scene at the time of the incident and were therefore interviewed.

Chief Maddrey (BR 11) testified that he did not assume command of any officers while he was at the Barclays Center, save his two partners, and that he did not remember seeing officers deploy pepper spray near the intersection of Keegan Drive and Atlantic Avenue. Chief Maddrey did not see officers push barricades into protestors or specifically push protestors using batons. Chief Maddrey saw officers push protestors back and say, “Get back,” but could not say if officers used their batons to do so.

Chief Monahan, as mentioned above, did not see any officers deploy pepper spray near the intersection of Keegan Drive and Atlantic Avenue side or see officers push barricades into protestors. Chief Monahan did not recall seeing officers push protestors with batons.

Allegation Recitation and Disposition:

§ 87(2)(g)
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Civilian and Officer CCRB Histories

- § 87(2)(b) and § 87(2)(b) have been party to one prior CCRB complaint (BR 13-14).
 - 202005166 included seven physical force allegations, and allegations of pepper spray, nightstick as club, interference with a recording device, and refusal to obtain

medical treatment. All of the allegations were closed as complainant uncooperative.

- PO Dorrejo has been a member of service for 14 years and this is the first complaint to which he has been a subject.
- Chief Monahan has been named a subject in 13 cases and 32 allegations, none of which have been substantiated. Chief Monahan's tenure was not listed in CTS+.

Mediation, Civil and Criminal Histories

- This case was not eligible for mediation.
- As of November 5, 2020, the New York City Office of the Comptroller does not have any record of a Notice of Claim being filed in regard to this incident (BR 15).
- According to the Office of Court Administration (OCA), neither § 87(2)(b) nor § 87(2)(b) have any criminal convictions in New York City (BR 16-17).

Squad No.: 14

Investigator: Casey McCann Inv. Casey McCann 06/03/2021
Signature Print Title & Name Date

Squad Leader: Cassandra Fenkel IM Cassandra Fenkel 08/19/2021
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date